

Decision **PROPOSED DECISION OF ALJ ROCHESTER** (Mailed 10/30/2014)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of California-American Water Company (U210W) for Authorization to increase its Revenues for Water Service by \$4,134,600 or 2.55% in the year 2011, by \$33,105,800 or 19.68% in the year 2012, by \$9,897,200 or 4.92% in the year 2013, and by \$10,874,600 or 5.16% in the year 2014.

Application 10-07-007  
(Filed July 1, 2010)

And Related Matter.

Application 11-09-016

**DECISION GRANTING COMPENSATION TO NATURAL RESOURCES DEFENSE  
COUNCIL FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-06-016**

<b>Claimant: Natural Resources Defense Council (NRDC)</b>	<b>For contribution to: D.12-06-016</b>
<b>Claimed (\$): \$ 19,616.06</b>	<b>Awarded (\$): \$12,300.56 (reduced 37%)</b>
<b>Assigned Commissioner: Michael Peter Florio</b>	<b>Assigned ALJ: Linda R. Rochester and Douglas M. Long</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief Description of Decision:</b>	D.12-06-016 addresses issues in the general rate case for California-American Water Company, including: (1) approval of a multi-party settlement agreement recommending reporting and reducing nonrevenue water (water loss); and, (2) approval of portions of a settlement agreement between NRDC and the company recommending monthly meter reading and billing. The Decision denies approval of other portions of the settlement agreement between NRDC and the company on other issues, such as changes to billing format and developing a study of the costs and benefits of investing in advanced metering infrastructure. In addition, D.12-06-016 deferred rate design and increasing the low income surcredit to Phase II of this proceeding, and NRDC will participate in Phase II on those two topics.
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**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	Claimant	CPUC Verified
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	August 26, 2010	Verified
2. Other Specified Date for NOI:	n/a	
3. Date NOI Filed:	September 24, 2010	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.09-08-009	Verified
6. Date of ALJ ruling:	January 28, 2010	Verified
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of “significant financial hardship” (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	A.11-05-017 et al.	Verified
10. Date of ALJ ruling:	October 28, 2011	Verified
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.12-06-016	Verified
14. Date of Issuance of Final Order or Decision:	June 14, 2012	Verified
15. File date of compensation request:	August 13, 2012	Verified
16. Was the request for compensation timely?		Yes

**C. Additional Comments on Part I:**

#	Intervenor’s Comment(s)	CPUC Discussion
3	Decision 12-06-016 adopts the revenue requirement for this general rate case and takes action on several motions to adopt settlement agreements, including approving a multiparty settlement agreement on reporting and reducing nonrevenue water, approving monthly meter reading and billing (Special Request #1), and disapproving a settlement agreement on billing format, advanced metering infrastructure, volumetric wastewater pricing, and other issues.	The Commission agrees with this assertion.

	As such, NRDC is requesting compensation herein for work performed in A.10-07-007 that contributed to the final decision in this proceeding (D.12-06-016), including work on the multiparty settlement agreement on nonrevenue water, monthly meter reading, and monthly billing format.	
3	NRDC has <u>not</u> requested compensation for time spent in this proceeding on issues relating to rate design or increasing the low income surcredit, since D.12-06-016 moved consideration of those issues to phase II of this proceeding.	The Commission agrees with this assertion.

## PART II: SUBSTANTIAL CONTRIBUTION

### A. Description of Claimant's contribution to the final decision (*see* § 1802(i), § 1803(a) & D.98-04-059).

Intervenor's Claimed Contribution to D.12-06-016	Specific References to Claimant's Presentations and to Decision	CPUC Discussion
<ul style="list-style-type: none"> <li>The following italicized headers correspond to the substantive issue areas used to categorize the timesheets.</li> <li>Where no page numbers are indicated, the entire document (or a majority of the document) supports the substantive claim.</li> </ul>		
<p><i>1. Water Loss Reporting (Non Revenue Water) (A)</i></p> <p>NRDC submitted testimony on the need to improve California-American Water Company's accounting for water losses and to reduce such water losses. NRDC supported the company's request that non-revenue water be based on volume instead of percentages, but NRDC opposed other elements of Special Request #15. After substantial negotiations, NRDC reached a partial settlement agreement with the company that included provisions on water loss reporting. Subsequently, NRDC reached a settlement agreement with the company and the Division of Ratepayer Advocates on accounting for, and taking steps to reduce, non-revenue water. This settlement agreement will better account for water losses and implement cost-effective measures to reduce such losses, which should benefit</p>	<p>In D.12-06-016, the Commission approved the majority of the settlement agreement between the company, DRA, and NRDC. However, the Commission did not approve the portion of the Settlement that authorized the company to only report water losses as volumes (instead of percentages) (Special Request #15), and instead the Commission required reporting of both volume and percentage. In addition, the Commission did not approve portions of the settlement with respect to nonrevenue water in the Monterey District for ratemaking purposes and the</p>	Verified

<p>ratepayers and improve water use efficiency, which benefits the environment.</p>	<p>Monterey County District penalty/reward mechanism, but the Commission did approve revisions to the Monterey County District penalty/reward mechanism.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016, at 19-22, 25-32, 71</i></li> <li>• <i>Testimony of the Natural Resources Defense Council On California-American Water Company's Proposed Rate Design, Water Conservation Rates, and Related Policy Issues (NRDC Exhibit 1), February 4, 2011, chapter 1, at 10-12.</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on Issues Presented in the General Rate Case, May 19, 2011, at 12-15.</i></li> <li>• <i>Partial Settlement Agreement Between the Division of Ratepayer Advocates, the Natural Resources Defense Council, and California-American Water Company on Non-Revenue Issues in the General Rate Case, July 28, 2011.</i></li> </ul>	
<p>2. <i>Monthly billing and changes to Billing Format (B)</i></p> <p>NRDC submitted testimony providing qualified support for the Company's request to implement monthly billing and meter reading, provided that the costs for additional meter readers were not greatly disproportionate to the benefits. In</p>	<p>In D.12-06-106, the Commission approved the request for monthly meter reading and billing that was included in the partial settlement agreement between the company, DRA, and NRDC. However, the Decision rejected the</p>	<p>Verified</p>

<p>addition, NRDC recommended specific changes to billing format. Particularly under a tiered rate structure, monthly billing and meter reading provides customers with early warning of water leaks and helps customers better understand the relationship between their water use and bills. The billing format changes that we recommended were intended to strengthen the customer's understanding of how their water consumption affects their bill, including clear information about the amount of consumption and the billing rate. NRDC reached a settlement agreement with the company that included changes to billing format and approval of monthly meter reading and billing (Special Request #1).</p>	<p>settlement provisions regarding billing format.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016 at 12, 32-33, 81.</i></li> <li>• <i>NRDC Exhibit 1, chapter 1, at 7-8</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on Issues Presented in the General Rate Case, May 19, 2011, at 2-3, 4-5.</i></li> </ul>	
<p>3. <i>Advanced Metering Infrastructure (AMI) (C)</i></p> <p>NRDC submitted testimony recommending the company evaluate the business case for investment in advanced metering infrastructure (AMI) in its next GRC. AMI systems involve automated data acquisition from customer meters, and AMI is being implemented by water utilities across California. AMI provides utilities with better information about customer water usage, including leaks. NRDC reached a settlement agreement with the company recommending that the Commission authorize and direct the company to conduct a study of AMI for use in the next general rate case.</p>	<p>The Commission denied approval of this portion of the settlement agreement between NRDC and the company; in its Decision, the Commission found that the proposal was not supported by the record but specifically noted that the Decision did not address the merits of this proposal.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016 at 4, 32-33, 81</i></li> <li>• <i>NRDC Exhibit 1, chapter 1, 8-9</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on Issues Presented in the General Rate Case, May 19, 2011, 5-6.</i></li> </ul>	Verified
<p>4. <i>Volumetric Pricing of Wastewater Service (D)</i></p> <p>NRDC submitted testimony recommending that the company begin</p>	<p>The Commission denied approval of this portion of the settlement agreement between NRDC and the company; in its Decision, the</p>	Verified

<p>charging for wastewater service through a volumetric charge, rather than a flat rate. Volumetric pricing of wastewater service effectively doubles the price signal for water use efficiency, and it can reduce future infrastructure requirements for sewer service. NRDC pointed out that as a signatory to the California Urban water Conservation Council, the company has an obligation to implement a volumetric pricing scheme for wastewater service in the Monterey Wastewater District and to work in good faith with wastewater providers in its other districts so those sewage districts adopt volumetric pricing structures.</p> <p>NRDC reached a settlement agreement with the company which recommends that the Commission direct the company to develop and submit a proposal for a volumetric pricing structure for wastewater customers in the Monterey Wastewater District in its next GRC, and to take certain other steps to advance volumetric pricing of wastewater in other districts.</p>	<p>Commission found that the proposal was not supported by the record but specifically noted that the Decision did not address the merits of this proposal.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016 at 4, 32-33, 81</i></li> <li>• <i>NRDC Exhibit 1, chapter 1, at 8-9</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on Issues Presented in the General Rate Case, May 19, 2011, at 9-11.</i></li> </ul>	
<p>5. <i>Sacramento WRAM (Special Request #5) (E)</i></p> <p>NRDC submitted testimony strongly supporting effective WRAM/MCBI mechanisms and providing specific recommendations for how to improve on the current WRAM/MCBI mechanism. NRDC reached a partial settlement agreement with the company that recommended that the Commission authorize creation of a WRAM and MCBI in the Sacramento District (Special Request #5). NRDC supported this request because an effective WRAM/MCBI mechanism is a necessary component of an effective conservation program and should provide protection to both the customer and the company.</p>	<p>The Commission denied approval of this portion of the settlement agreement between NRDC and the company, and directed that issues relating to the Sacramento WRAM be moved to Phase II of this proceeding. Due to resource limitations NRDC will not be participating in the Phase II proceedings on this issue.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016 at 4, 34-35, 74, 82.</i></li> <li>• <i>NRDC Exhibit 1, chapter 2, at 3-6.</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on</i></li> </ul>	<p>Verified</p>

	<i>Issues Presented in the General Rate Case, May 19, 2011, at 8-9.</i>	
<p><b>6. Irrigation Rates (F)</b></p> <p>NRDC submitted testimony which generally supported the company's request to establish irrigation rates for dedicated irrigation customers in the Larkfield, San Diego County, and Ventura County Districts, and in the Toro Service Area, at a rate comparable to the top residential tier rate. NRDC further testified that the company should identify all dedicated irrigation accounts in these districts and service area. We supported this request in order to send a strong price signal that encourages greater efficiency and conservation for nonessential, outdoor water use.</p>	<p>The Commission denied approval of this portion of the settlement agreement between NRDC and the company; in its Decision, the Commission found that the proposal was not supported by the record but specifically noted that the Decision did not address the merits of this proposal.</p> <ul style="list-style-type: none"> <li>• <i>D.12-06-016 at 4, 32-33, 81</i></li> <li>• <i>NRDC Exhibit 1, chapter 1, at 9-10.</i></li> <li>• <i>Partial Settlement Agreement Between the Natural Resources Defense Council and California-American Water Company on Issues Presented in the General Rate Case, May 19, 2011, at 3-4.</i></li> </ul>	Verified

**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Intervenor's Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Division of Ratepayer Advocates (ORA)<sup>1</sup> a party to the proceeding?</b>	Yes	Verified
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Verified
<b>c. If so, provide name of other parties:</b> The Utility Reform Network (TURN)		
<p><b>d. Intervenor's claim of non-duplication:</b></p> <p>Whenever possible, NRDC worked cooperatively with other parties to write joint comments and develop joint stipulations, as well as to coordinate participation in pre-hearing conferences to avoid duplication of effort. NRDC participated in multiparty settlement discussions to try to resolve as many issues outside the formal proceeding,</p>		Please see a full explanation of duplication issues in Part III A.

<sup>1</sup> The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013

<p>which contributed to a settlement agreement that was approved in this Decision (D.12.06-016 at 19-22, 25-32, 71). As a result of the efforts described above, NRDC's compensation in this proceeding should not be reduced for duplication of the showing of other parties. In addition, NRDC took steps to ensure no duplication of work within our organization by assigning specific issues, tasks, and workshops/meetings to one team member.</p>	
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### PART III: REASONABLENESS OF REQUESTED COMPENSATION

#### A. General Claim of Reasonableness (§§ 1801 & 1806):

a. Intervenor's claim of cost reasonableness:	CPUC Discussion
<p>Throughout A.10-07-007, NRDC advocated for Commission adoption of policies and programs that ensure that California-American Water Company increases water conservation and efficiency by the company and by its customers, while also ensuring affordable water supplies for essential levels of water use and particularly for low income communities. Several elements of NRDC's recommendations were explicitly adopted in settlement agreements approved by the Commission in D.12-06-016, including settlement provisions recommending specific activities to report and reduce water losses (nonrevenue water) and to implement monthly meter reading and billing.</p> <p>While the Commission disapproved other elements of the settlement agreement between NRDC and California-American Water Company, the Decision explicitly finds that disapproval was not based on the merits of those recommendations but instead on the lack of an adequate record. One or more of those issues will be taken up in Phase II of this proceeding, and other elements may be taken up in the next general rate case.</p> <p>NRDC's participation substantially contributed to the final decision that will improve water efficiency by California-American Water Company and its customers. Reducing the cost of delivering water, as well as reducing individual customer usage, will directly benefit customers by reducing nonrevenue water and the need to purchase costly additional water supplies.</p>	<p>Intervenor's claim of cost reasonableness</p> <p>There was lack of an adequate record for NRDC's settlement issues of irrigation rates, billing format, advanced metering infrastructure and volumetric rate structure for wastewater. <i>See</i> D.12-06-016 at 32 (Paragraph 7.9).</p> <p>Certain related portions of the settlement were not approved as a result. Cost reasonableness was reduced. To the extent that any of those items will be covered by the scope and record of Phase II, the instant decision should be considered without prejudice in the consideration of compensable contribution for that phase.</p>
<p><b>b. Reasonableness of Hours Claimed.</b> <i>NRDC's Claims are Reasonable and Conservative</i></p> <p>The substantial contributions to the Decision described above would not have been possible without the individual contributions of each of the two main members the NRDC team. Edward R. Osann, who has over 25 years</p>	<p>As noted above under cost reasonableness, part of the effort by NRDC was not reasonable. We have determined that 13.9 hours</p>



of relevant experience, provided technical expertise and knowledge of best practices on urban water use efficiency and water loss reporting. He drafted testimony, testified in prehearing conferences, and negotiated settlement agreements on these issues. Doug Obegi, an attorney with more than 5 years of legal experience and several years of policy experience focused on water use efficiency, drafted settlement agreements and motions, represented NRDC in prehearing conferences with the ALJ, participated in settlement negotiations, and drafted comments on the proposed Decision. Copies of Mr. Osann's and Mr. Obegi's resumes are attached.

NRDC maintained detailed time records indicating the number of hours that were devoted to proceeding activities. All hours represent substantive work related to this proceeding. When staff 'reviewed' other staff work, this involved detailed comments, additional language, clarity of position, and effectiveness of recommendations, to ensure that the work product delivered to the Commission was substantive and useful. This activity was not merely grammar checking, but added significant value to the end product. Likewise, when staff 'coordinated', this involved developing NRDC positions on substantive issues and identifying key issues NRDC would emphasize in testimony, in comments, or in settlement agreements. When we claim two staff for attending the same meeting (either internal or external), we do so because each staff member possesses a distinct area of expertise.

The amounts claimed are conservative for the following reasons: (1) No time was claimed for pure coordination among the staff, only for discussions of substantive issues to outline comments and define advocacy strategy; (2) we do not claim time for informal conversations with CPUC staff or other stakeholders throughout the proceeding (unless over 2 hours); (3) we claim half time for each staff person present for a substantive internal conversation; and (4) we do not request all hours for prepping this claim. In addition, we did not claim any time for work done by Jeremy Brown (an attorney who worked for NRDC in 2010 on this proceeding) or for time spent by NRDC's consultants on these issues.

In sum, NRDC made numerous and significant contributions which required extensive research and analysis. We took every effort to coordinate with other stakeholders to reduce duplication and increase the overall efficiency of the proceeding. Since our work was efficient, hours conservative, and billing rates low, NRDC's request for compensation should be granted in full.

are compensable. *See* Part III C. below for an itemized accounting.

**c. Allocation of Hours by Issue:**

Letter	Issue Area	%
A	Water Loss (Nonrevenue water)	31%
B	Billing (Monthly meter reading and billing, Billing Format)	12%
C	Advanced Metering Infrastructure	8%
D	Wastewater Volumetric Pricing	12%
E	Sacramento WRAM	8%
F	Irrigation Rates	9%

G	General	20%		
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**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
D.Obegi	2010	0.5	\$220	Res ALJ 267	\$ 110.00	0.5	\$220	\$110.00
D.Obegi	2011	7.30	\$280	Res ALJ 267	\$ 2,044.00	1.7	\$280	\$476.00
D.Obegi	2012	5.55	\$280	Res ALJ 267	\$ 1,554.00	1	\$280	\$280.00
E.Osann	2010	20.05	\$180	Res ALJ 267	\$ 3,609.00	20.05	\$180	\$ 3,609.00
E.Osann	2011	41.25	\$190	D.08-04-010 (at 8)	\$ 7,837.00	20.95	\$190	\$3,980.50
E.Osann	2012	10.95	\$190	D.08-04-010 (at 8)	\$ 2,080.00	7.7	\$190	\$1,463.00
	Subtotal:				\$17,234.00	Subtotal:		\$9,918.50
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
LA-SF-LA Airfare	2010			Southwest receipt	\$119.40			\$119.40
LV-SF Airfare	2011			Portion of Southwest receipt	\$119.40			\$119.40
SF Hotel (2 nights)	2011			Mark Twain Hotel receipt	\$385.76			\$385.76
	Subtotal:				\$624.56	Subtotal:		\$624.56
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
D. Obegi	2012	8.00	\$140	Res ALJ 267 1/2 of normal rate	\$1,120.00	8.00	\$140.00	\$1,120.00
E. Osann	2010	0.75	\$90	Res ALJ 267 1/2 of normal rate	\$67.50	.75	\$90.00	\$67.50
E. Osann	2012	6.00	\$95	Res ALJ 267 1/2 of normal rate	\$570.00	6.00	\$95.00	\$570.00

	<b>Subtotal:</b>	<b>1,757.50</b>	<b>Subtotal:</b>	<b>\$1,757.50</b>
<b>TOTAL REQUEST \$:</b>		<b>\$19,616.06</b>	<b>TOTAL AWARD \$:</b>	<b>\$12,300.56</b>
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate.</p>				
<b>Attorney</b>	<b>Date Admitted to CA Bar</b>	<b>Member Number</b>	<b>Actions Affecting Eligibility (Yes/No?)</b>	
			<b>If "Yes", attach explanation</b>	
Doug Obegi	12/5/2006	246127	No	

**C. CPUC Disallowances and Adjustments:**

<b>#</b>	<b>Reason</b>
1. Disallowance for unproductive efforts.	Time related to settlement negotiations in this proceeding were not effective. As such the following hours are disallowed from NRDC's total claim: 20.3 hours for Osann's work in 2011; 3.25 hours for Osann's work in 2012; 5.6 hours for Obegi's work in 2011; and 4.55 hours for Obegi's work in 2012.
2. Adoption of Doug Obegi's hourly rate(s).	Obegi has been a licensed attorney with the California state bar for almost 8 years. At the time of this proceeding, Obegi had 4, 5, and 6 years of work experience. Resolution ALJ-267 places attorneys with 3-4 years of experience at \$200-\$235 per hour. NRDC's use of \$220 for Obegi in 2010 fits within the rate range of ALJ-267 and thus is adopted here. For years 2011 and 2012, Obegi had 5 and 6 years of experience as an attorney, moving him into a new rate category. Resolution ALJ-281 places attorneys with 5-7 years of experience at the rate of \$280 -\$300 per hour. As such, we adopt NRDC's suggested rate of \$280 per hour for work Obegi completed in 2011 and 2012.
3. Adoption of E. Osann's hourly rate(s).	NRDC asks for the rate of \$180 for work Osann completed in 2010, and \$190 for work Osann completed in 2011 and 2012 in this proceeding. Osann has an extensive background in water efficiency and energy use. Osann received his master's from George Washington University in Urban and Regional Planning, and has since held various titles in the

	public arena. Resolution ALJ-267 places experts with 7-12 years of experience into the rate bracket of \$155-\$270 per hour for 2010. As such, we find the rate of \$180 per hour to fall within the parameters of ALJ-267. For Osann's 2011 and 2012 hourly rates, the rate of \$190 fits within the parameters set by Resolution ALJ-281, and is thereby adopted.
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#### **PART IV: OPPOSITIONS AND COMMENTS**

<b>A. Opposition: Did any party oppose the Claim?</b>  No comments were received.	No
<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(C)(6))?</b>	Yes

#### **FINDINGS OF FACT**

1. Natural Resources Defense Council has made a substantial contribution to Decision 12-06-016.
2. The requested hourly rates for Natural Resources Defense Council's representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$12,300.56.

#### **CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

#### **ORDER**

1. Natural Resources Defense Council is awarded \$12,300.56.
2. Within 30 days of the effective date of this decision, California-American Water Company shall pay the Natural Resources Defense Council the total award. Payment of the award shall include interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning October 27, 2012, the 75<sup>th</sup> day after the filing of Natural Resources Defense Council's request, and continuing until full payment is made.

3. The comment period for today's decision is not waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	N/A
<b>Contribution Decision(s):</b>	D1206016		
<b>Proceeding(s):</b>	A1007007		
<b>Author:</b>	ALJ Linda R. Rochester and Douglas M. Long		
<b>Payer(s):</b>	California-American Water Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Natural Resources Defense Council	August 13, 2012	\$ 19,616.06	\$12,300.56	N/A	Disallowance for unproductive efforts.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Doug	Obegi	Attorney	Natural Resources Defense Council	\$220	2010	\$220
Doug	Obegi	Attorney	Natural Resources Defense Council	\$280	2011	\$280
Doug	Obegi	Attorney	Natural Resources Defense Council	\$280	2012	\$280
Edward	Osann	Expert	Natural Resources Defense Council	\$180	2010	\$180
Edward	Osann	Expert	Natural Resources Defense Council	\$190	2011	\$190
Edward	Osann	Expert	Natural Resources Defense Council	\$190	2010	\$190

**(END OF APPENDIX)**